Mysore State

Sectt. Old No. II-27, Now No. II-15—75,006—31-1-55.

# H.E.L.A. (195 6 ) Department.

Rt. **SERIES.**

**G.O. No.** 490 L. A.

490

**Dated** 4th June, 1956.

Closed
MW
Supdt

4-6-55

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## [Despatch Abstract.]

Land Acquisition-South Kanara District-Hosdrug Independent sub-taluk-Anjanoor village R.S.No.455/1 A2-Formation of a panchayat Road-Declaration under Section 6 of the Land Acquisition Act-Published.

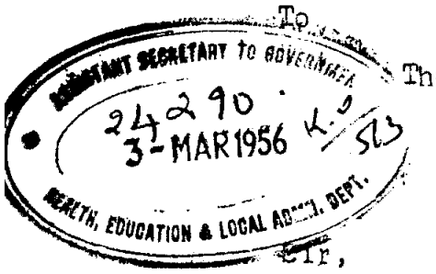
R.Dis.5573/56. 24 South Kanara Collector's Office,
Mangalore, dated 26---2---1956.

From

Sri M. G. Raja Ram, I.A.S.,
Collector of South Kanara.

To

The Secretary to the Government,
Health, Education and Local Administration
Department,
Fort St. George,
Madras-9.
(in duplicate)




Sir,

LAND ACQUISITION (South Kanara) - Hosdrug Independent Sub Taluk - Ajanoor village - S.F.No.45c/1A2 - Formation of a Panchayat Notification under Section 4(1) and Draft Declaration - Under Section 6 - Land Acquisition Act - submitted.

-:o:-

The Ajanoor Panchayat in Hosdrug Sub Taluk has applied for the acquisition of S.F.No.45c/1A2 of Ajavar village for the formation of a Panchayat road. The extent of the plot is 0.08 cents and the cost of acquisition is estimated at Rs.55.3.0. S.F.No.45c/1A is registered in the revenue accounts as "Dry" and it is arable. It does not contain any religious edifices, tombs or grave yards. There are no improvements either. The Panchayat Board has undertaken to abide by the conditions of acquisition. A copy of its resolution dated 26.11.55 is enclosed. It has requested to place the plot at its disposal urgently so that the work of forming the road can be completed expeditiously If the plot is made available to the Panchayat it can considerably form the road by the time the rainy season commences this year., In the circumstances, I consider that this is a case in which the urgency provisions of Section 17(1) of the L.A. Act applied dispensing with the enquiry under Sections 5A of the Land Acquisition Act.

2. This is a case in which under the existing instructions a Tahsildar can pass the award. But as the plot is in the jurisdiction of the Dy. Tahsildar Hosdrug Independent Sub Taluk the Revenue Divisional Officer, Puttur has taken up the case as the Deputy Tahsildar is not competent to the award under the existing rules.

3. I submit herewith a draft notification under section 4(1) and Draft Declaration under Section 6 of the Land Acquisition

Act both in duplicate with.urrency clause under Section 17 of the said Act. I request that they may be approved and ordered to be published in the Fort St.George Gazette the draft notification being published earlier.

Yours faithfully

For Collector.

Copy to the Revenue Divisional Officer Puttur (with enclosures)

EXTRACT FROM THE MEETING PROCEEDINGS OF THE AJANUR PANCHAYAT BOARD HELD ON 26-11-1955.

| | |
|---|---|
| Subject: Consideration of the proposal for the acquisition of R.S.No. 455/1.A2 and 457/10 of Ajanur village for the formation of a road | Res: Resolved that the land will be used only for the formation of a road from which it is to be acquired and for no other purpose without the sanction of the Government.<br><br>2) The work will be carried out within 3 months from the date of acquisition. |

3. To restore the land to the Government if they so direct, on payment of the compensation awarded less 15% awarded for compulsory acquisition or of the value of the land at the time of restoration whichever may be less, in the event of the local body not carrying out the purpose for which the land is acquired within the specified period or using the land without the sanction of the Government at any time for any purpose ~~for~~ other than that for which it is acquired.

4. To pay enhanced compensation together with the incidental charges if any, that may be awarded by the Civil Court in the event of a reference under Sec.18 of the Land Acquisition Act or an appeal therefrom.

-True copy.

S.Kanara Collector's Office
Mangalore, dated 26-2-1956

For Collector. 1.3.56

4/3

Under Section 4 of the Land Acquisition Act of 1894 as amended by Act XXXVIII of 1923.

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Whereas it appears to the Government of Madras that the land specified in the scheduled below is needed for a public pupose, to wit, for the formation of a Panchayat road, notice to that effect is hereby given to all whom it may concern in accordance with theprovisions of section 4(1) of the Land Acquisition Act I of 1894 as amended by the Land Acquisition Amendment Act XXXVIII of 1923 and the Government of Madras hereby authorises the Revenue Divisional Officer, Puttur his staff and workmen to exercise the powers conferred by section 4(2) of the Act. Under ~~Sub~~ Section 4 of Section 17 of the Act, the Governor of Madras directs that in view of the urgency of the case, theprovisions of Section 5-A of the L.A. Act shall not apply to this case.

SCHEDULE.

District: S.Kanara.
Taluk: Hosdrug ~~In~~dependent Sub Taluk.
Village: 89 Ajanoor.
R.S.No.455/1A2(Part) Kyotwari Dry 0.08 acre.
Registered holder and occupier: Sri K.Radhakrishnayya Shanbhogue of Ajanur.

| | |
|---|---|
| Total | 0.08 acre |

S.Kanara Collector's Office.
Mangalore, dated 26--2--1956

3/3

For Collector. 1.3.56

4/3

R.Dis.5572/56. South Kanara Collector's Office,
Mangalore, Dated 26---2---1956.

From

Sri M. C. Raja Rao, I.A.S.,
Collector of South Kanara.

To

The Secretary to the Government,
Health, Education and Local Administration
Department,
Fort St. George,
Madras-9.
(in duplicate)

Sir,

LAND ACQUISITION (South Kanara) - Hosdrug Independent Sub Taluk - Adanoor village - R.S.No.45/1A2 - Formation of a Panchayat Notification under Section 4(1) and Draft Declaration - Under Section 6 - Land Acquisition Act - submitted.

-:o:-

The Adanoor Panchayat in Hosdrug Sub Taluk has applied for the acquisition of R.S.No.45/1A2 of Adanoor village for the formation of a Panchayat road. The extent of the plot is 0.08 cents and the cost of acquisition is estimated at Rs.50.00. S.No.45/1A is registered in the revenue accounts as "Dry" and it is arable. It does not contain any religious edifices, tanks or grave yards. There are no improvements either. The Panchayat Board has undertaken to abide by the conditions of acquisition. A copy of its resolution dated 26.11.55 is enclosed.
It has requested to place the plot at its disposal urgently so that the work of forming the road can be completed expeditiously. If the plot is made available to the Panchayat it can considerably form the road by the time the rainy season commences this year. In the circumstances, I consider that this is a case in which the urgency provisions of Section 17(1) of the Act applied dispensing with the enquiry under Sections 5A of the Land Acquisition Act.

2. This is a case in which under the existing instructions the Land Tribunal can pass the award. But as the plot is in the jurisdiction of the Dy. Tahsildar Hosdrug Independent Sub Taluk the new Sub Divisional Officer, Puttur has taken up the case as the Deputy Tahsildar is not competent to the award under the existing rules.

3. I submit herewith a draft notification under Section 4(1) and Draft Declaration under Section 6 of the Land Acq

Act both in duplicate with urgency clause under section 17 of the said Act. I request that they may be approved and ordered to be published in the Fort St.George Gazette the draft notification being published earlier.

Yours faithfully

for Collector.

Copy to the Revenue Divisional Officer Nuttur (with enclosures)

DRAFT DECLARATION UNDER SECTION 6 OF THE LAND ACQUISITION ACT.

****

The Government of Madas having been satisfied that the land specified in the schedule below has to be acquired for a public purpose and it having already been decided that the entire entire amount of Rs.(55-3-0)fifty five and annas three only be the same a little more or less if found on scrutiny of the S.O.records be paid from the funds of Ajanur,Panchayat,Hosdrug Independent Sub Taluk South Kanara District towards compensation to be awarded for the land,the following declaration is issued under section 6 of the Land Acquisition Act (Act I of 1894)xxxxxx

2.Under Section 6 of the Land Acquisition Act, the Governor of Madras hereby declares that the land specified in the schedule below and measuring 0.08 acres be the same, a little more or less is needed for a public purpose,to wit, for the formation of a road and under sections 3 and 7 of the same act, the Revenue Divisional Officer,Puttur is appointed to perform the function of a Collector under the Act and directed to take order for the acquisition of the said land.Under sub section (1) of the Section 17 of the Act,the Governor of Madras further directs that the possession of the said land may be taken on the expiry of 15 days from the date of publication of the notice mentioned in section 9(1) of the Act. A plan of the land is kept in the office of the Revenue Divisional Officer,Puttur and may be inspected at any time during office hours.

SCHEDULE.

District: South Kanara.
Taluk: Hosdrug Independent Sub Taluk.
Village: 89 Ajanur
R.S.No.456/1A (Part)Ryot Mari Dry 0.08 acres.

Registered holder and occupier:Sri K.Madhakrishnayya Shanbhogue of Ajanur.

S.Kanara Collector's Office
Mangalore,dated 26.2.1956

For Collector.

X/12

~~ORDER.~~

The draft notification under section $\frac{4\ (1)}{48\ (1)}$ of the Land Acquisition Act, submitted by the Collr. of S. Kanara with ~~his~~ letter read above is approved and will be published in the *Fort St. George Gazette*.

2. The Govt. accept the view that the acquisition is an urgent one and under Sec. 17 (4) of the L.A. Act, Govt. direct that the provision of sec. 5-A of the Act shall not apply to this case

~~(By order of His Excellency the Governor of Madras.)~~

~~*Secretary to Government.*~~

CENTRAL DEPARTMENT 233 14/3/38 DI 14/3/38.

To ~~the Superintendent, Government Press~~ (with a notification for publication).
" ~~Board of Revenue, Land Revenue and Settlement~~.
" Collector of South Kanara
" R.D.O., Puttur

Despatched by ... Messenger.
Date ... 195 ... Despatcher's Initials

Note The ~~Board~~ of the Collr. of S. Kanara to apply the urgency clause to the ~~acquisition~~ may be accepted.

Rev. may see before issue

~~Forwarded,~~

~~(By order)~~— 23.3.38

23.3.38

~~Superintendent.~~ Rev

14/3/38.
RS 14/3/38.

HELA. Rev No.
24290. L4/38-1. LA.
dt 28-3-38

C.No. 24290/56.

Rev. Sectt. 19—2006—11-11-49.

GOVERNMENT OF MADRAS.

Received _____ 195 . Registered _____ 195

**Abstract.**

Land acquisition - South Kanara Dt. - Hosdrug Independent sub. taluk - Ajanoor Village - R.S.No. 45J/1A2 - Formation of a Panchayat Road - Notification under Sec. 4 (1) of L.A. Act - Published

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HELA

LA DEPARTMENT.

Memo. ~~G.O. R.~~ No. 24290/LA/56-2-LA dated the 31.3.1956.

READ—the following papers :—

1 Cf From the Collr. of S. Kanara, No. R. Dis. 5573/56. dt. 26.2.56.

(P.T.O.

C.No. 24290/Sb.

Rev. Sectt. 19—2006—11-11-49.

GOVERNMENT OF MADRAS.

Received _____ 195 Registered _____ 195

**Abstract.**

Land acquisition - South Kanara Dt. - Hosdrug Independent sub. taluk - Ajanoor Village - R.S.No. 455/1A2 - Formation of a Panchayat Road - Notification under Sec. 4 (1) of L.A. Act - Published

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H E L A
~~L A~~ DEPARTMENT.

Memo. ~~G.O.-R.-No.~~ 24290/Sb.2.LA. dated the 31.3.1956.

READ—the following papers :—

1 Cf From the Collr. of S. Kanara, No. R. Dis. 5573/56. of 26.2.56.

[P.T.O.

2-12

~~ORDER.~~

The draft notification under section $\frac{4\ (1)}{48\ (1)}$ of the Land Acquisition Act, submitted by the Collr. of S. Kanara with ~~his~~ letter read above is approved and will be published in the *Fort St. George Gazette*.

2. The Govt. accept the view that the acquisition is an urgent one and under Sec. 17 (4) of the L.A. Act, Govt. direct that the provision of sec. 5-A of the Act shall not apply to this case

~~(By order of His Excellency the Governor of Madras.)~~

~~Secretary to Government.~~

To ~~the Superintendent, Government Press~~ (with a notification for publication).
" ~~Board of Revenue, Land Revenue and Settlement~~.
" Collector of South Kanara
" R.D.O., Puttur

CENTRAL DEPARTMENT
Received by ... Asst. ... Messenger.
Date 195
Despatcher's Initials

Note: The proposal of the Collr. of S. Kanara to apply the urgency clause to the acquisition may be accepted

Rev. may see before issue

~~Forwarded.~~

~~(By order)~~

Superintendent.

H.E.L.A. Rev. No. 24290. L4/58-1.GA. dt 28-3-58

To us.

Para 2 of the memo of Appointments may be accepted and the file returned to HELA.

29/3/56

29/3/56

HELA

29/3/56.

HELA

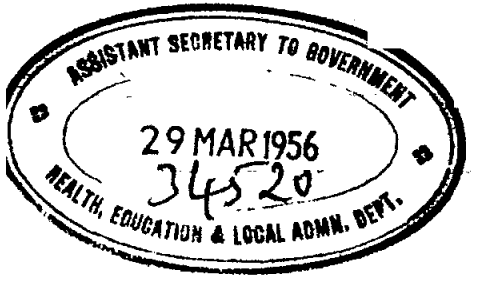
HEd LAPPM

Shree

29.3.56

Revised 29/3/56

29.3.56



(By order of His Excellency the Governor of Madras)

Dy. *Secretary to Government.*

To the Superintendent, Government Press, with a declaration / an erratum / a notification in diglott, for publication.

" Board of Revenue,
" Collector of S. Kanara
R.D.O., Puttur.

Note: The Notification under section 4(1) of the L.A. Act in this case was published as Notification No. 223 on p. 236 of Part 1-A of the F.S.G.G. dated 25-4-56

The compensation to be awarded forthe lands should be met from the funds of the Ajanoor Panchayat
Rev. need not see the case again. The draft order above is for approval.

Forwarded.

(By order.)

*Superintendent.*

Rev. Sectt. 20—3,004—18-11-45.

C.No.24290/56. **GOVERNMENT OF MADRAS.**

*Received*_____194 . *Registered*_____194

**Abstract.**

Land Acquisition - S. Kanara Dt. - Hosdrug Independent sub-taluk Ajanoor village - R.S.No.455/1A2 - Formation of a panchayat Road - Declaration under section 6 of the L.A. Act - Published.

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H.E.L.A.(L4) DEPARTMENT.

G.O. No. R. 490 LA, dated the 4-6-1956

READ—the following papers:—

From the Collr. of S. Kanara, No.RoDis. 5573/56, dd/ 26-2-56.

Memo. No. 24290. L4/56-2. LA. dt 31-3-56

ORDER.

The ~~erratum to the draft declaration under Section 6~~ draft declaration under Section 6 of the Land Acquisition Act ~~draft notification under Section 48 (1)~~ submitted by the Collr. of S.Kanara with his letter read above is approved and will be published ~~in English~~ in the *Fort Saint George Gazette* ~~and in the District Gazette.~~

[P.T.O.